

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

AIREANNA SIMMONS,

Plaintiff,

v.

AUTOZONERS, LLC,

Defendant.

No. 3:23-cv-00166-SB

OPINION AND ORDER

BAGGIO, District Judge:

On May 22, 2025, Magistrate Judge Stacie F. Beckerman issued her Findings and Recommendation (“F&R”) (ECF 74) recommending that this Court GRANT IN PART and DENY IN PART Defendant’s Motion For Summary Judgment (ECF 49). Plaintiff filed objections to the F&R (ECF 76), but later withdrew those objections (ECF 78). Defendant responded to Plaintiff’s objections before they were withdrawn (ECF 77), but did not file its own objections. This Court ADOPTS Magistrate Judge Beckerman’s F&R (ECF 74) in full.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. 28 U.S.C. § 636(b)(1)(C). If a party objects, the court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendation to which objection is made.” *Id.* § 636(b)(1)(C). The court is not, however, required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Ramos*, 65 F.4th 427, 433 (9th Cir. 2023). While

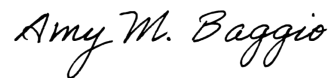
the level of scrutiny that the court applies to its F&R review depends on whether a party has filed objections, the court is free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C); *see also Thomas*, 474 U.S. at 154. The Court has reviewed Magistrate Judge Beckerman's F&R and concludes that there is no basis to modify it.

CONCLUSION

The Court ADOPTS Magistrate Judge Beckerman's Findings and Recommendation (ECF 74). Therefore, Defendant's Motion For Summary Judgment (ECF 49) is GRANTED IN PART and DENIED IN PART.

IT IS SO ORDERED.

DATED this 30th day of June, 2025.



AMY M. BAGGIO
United States District Judge